

DOCKET NO. END-780NP



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.

10/659,418

Art Unit: 3762

Filed

September 10, 2003

Baxter III, Chester O., et al.

Examiner: Not assigned

Title

FINGERTIP ELECTROSURGICAL MEDICAL DEVICE

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

August / 2004

Linda F. Hansen

applicant, person mailing, assignee, or Registered Representative)

(Signature)

August /9

Mail Stop Missing Parts Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUBMISSION OF COMBINED DECLARATION AND POWER OF ATTORNEY

Dear Sir:

Pursuant to Rule 53(f) and Rule 54, please find enclosed a Combined Declaration and Power of Attorney for the application of Chester O. Baxter III, et al.. entitled FINGERTIP ELECTROSURGICAL MEDICAL DEVICE attorney Docket No.END-780NP, to complete, pursuant to Rule 51, this application filed on September 10, 2003 by Express Mail pursuant to Rule 10. As required, a copy of the Notice to File Missing Parts of Application is also attached.

Please charge Johnson & Johnson Deposit Account No. 10-0750/END-780NP/VEK in the amounts of \$130.00 for submission of the Declaration pursuant to Section 1.16(e). The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 10-0750/END-780NP/VEK. This sheet is submitted in triplicate.

Respectfully submitted,

Verne E. Kreger, Jr. Reg. No. 35,231

Attorney for Applicant(s)

Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003 (513) 337-3295

_	4 2004 Blease type a plus sign (+) inside this box +					/01 (10-00)	
L	<i>19</i>			U.S. Pa	tent and Trademark Off	use through 10/31/2002. OMi ice; U.S. DEPARTMENT OF (COMMERCE	
ī	Under the Paperwo	rk Reduction Act of 1995, no person	ons are required to	o respond to a collec	ction of information unle	ss it contains a valid OMB cor	ntrol number.	
3	DEC DEC	LARATION		Attorney Do	cket Number	END-780 NP		
		AND				Chester O. Baxte	r, III et	
		OF ATTORNEY		First Named		al.		
		ITY OR DESIGN APPLICATION		-	COMPLETI	IF KNOWN		
		CFR 1.63)		Application I	Number	10/659,418		
	Declaration Submitted wit Initial Filing	OR Initial Filing (Su	rcharge	Filing Date		September 10, 2003		
		(37 CFR 1.16(e)) required)	Group Art U	nit	Not assigned		
				Examiner Na	ame	Not assigned		
	As a below named invento	r, I hereby declare that	t:					
	My residence, mailing addre I believe I am the original, fir plural names are listed below entitled:	st and sole inventor (if o	nly one nam	e is listed belo	ow) or an origina			
		FINGER TIP ELE	CTROSURO		AL DEVICE			
	the specification of which							
			٠					
	[] is attached hereto							
	OR							
	[X] was filed on (MM/DD/YYYY) 09/10/2003 as United States Application Number or PCT International Application Number 10/659,418 and was amended on (MM/DD/YYYY)							
	10/059,410 allu was	amended on (MIM/DD/)	· · · · / <u> </u>	ı				
	I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.							
	I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.							
	I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.							
	Prior Foreign	01		Filing Date	Priority	Certified C		
	Application Number(s)	Country	(MM/D	D/YYYY)	Not Claimed	Attached YES	d? NO	
	istaniber(s)							
							ш	

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

DECLARATION - Utility or Design Patent Application						
I hereby claim the benefit under 35 U.S.	C. 119(e) of any United States provisional	application(s) listed below.				
Application Number(s)	Filing Date (MM/DD/YYYY)	Additional provisional application				
60/412,072 60/425,401	September 19, 2002 November 12, 2002	numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.				
I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:						
Application Serial No.	Filing Date	Status				
		Pending				
I hereby appoint:						
Practitioners at Customer Number	Place Customer Number Bar Code Label Here					
Practitioner(s) named below: Name Registration Number						
as my/our attorney(s) or agent(s) to pros States Patent and Trademark Office con	ecute the application identified above, and nected therewith.	to transact all business in the United				
Address all telephone calls to Verne E. Kreger,	Jr. at telephone number (513) 337-3295.					
	omer Number r Code Label 000027777 OR	☐ Correspondence address below				
Name:						
Address:						
Address:						
City:	State:	ZIP				
Country USA	Fax:					

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SOLE OR FIRST INVENTOR:		etition has beer	n filed for this unsign	ned inventor	
Given Name Chester O. (first and middle [if any])		Family Name or Surname	e Baxter, III		
Inventor's Signature			Date 10	08(03	
Residence: City Loveland	State Ohio	Cot	untry USA	Citizenship USA	
Mailing Address 6375 Pawnee Ridge					
City Loveland	State Ohio	ZIP		Country USA	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SECOND INVENTOR:	☐ A pe	atition has been	n filed for this unsigne	ed inventor	
Given Name Craig N. (first and middle [if any])		Family Name or Surname	e Faller		
Inventor's Canal No. 7e	ell		Date 10	18/03	
Residence: City Milford	State Ohio	Cou	untry USA	Citizenship USA	
Mailing Address 5960 E. Day Circle					
City Milford	State Ohio		45159-2360	Country USA	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF THIRD INVENTOR:	A pe	tition has been	filed for this unsigne	ed inventor	
Given Name Kevin L. (first and middle [if any])		Family Name or Surname	e Houser		
Inventor's Signature	ny.	- -	Date 10/8	3/03	
Residence: City Springboro	State Ohio	Cou	intry USA	Citizenship USA	
Mailing Address 570 Foliage Lane					
City Springboro	State Ohio	ZIP	45066	Country USA	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF FOURTH INVENTOR:	□Арє	etition has been f	iled for this unsign	ned inventor	
Given Name Jorge (first and middle [if any])		Family Name or Surname	Gutierrez		
Inventor's gara Dutier	^ez		Date 10	· 8· 03	
Residence: City Cincinnati,	State Ohio	Coun	try USA	Citizenship USA	
Mailing Address 9916 McCauley Woods D)rive				
City Cincinnati	State Ohio	ZIP	45241	Country USA	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF FIFTH INVENTOR:	☐ A pe	tition has been fi	led for this unsign	ed inventor	
Given Name William T. (first and middle [if any])		Family Name or Surname	Donofrio		
Inventor's Signature William TDo	ngr.		Date 10	-10-03	
Residence: City Cincinnati,	State Ohio	Count	try USA	Citizenship USA	
Mailing Address 8755 Tanagerwoods Drive	<u>e </u>				
City Cincinnati	State Ohio	ZIP	45249	Country USA	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SIXTH INVENTOR:	☐ A pe	tition has been fil	ed for this unsigne	ed inventor	
Given Name Jerome R. (first and middle [if any])		Family Name or Surname	Morgan		
Inventor's Signature	· · · · · · · · · · · · · · · · · · ·		Date /o / 8	3/03	
Residence: City Cincinnati,	State Ohio	Count	ry USA	Citizenship USA	
Mailing Address 3275 S. Whitetree Circle			<u> </u>		
City Cincinnati	ŀ		1		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
NAME OF SEVEN	ITH INVENTOR:	☐ A pr	etition has t	been fil	led for this unsigne	ed inventor
Given Name (first and middle)	Jeffrey J. [if any])		Family Nor Surna		Vaitekunas	
Inventor's Signature					Date	T
Residence: City	St. Paul	State MN		Count	try USA	Citizenship USA
Mailing Address	1270 Northland Drive					
City	St. Paul	State MN		ZIP	55120	Country USA
information and that willful false	I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF EIGHTH	1 INVENTOR:	□ А ре	etition has b	oeen file	ed for this unsigne	ed inventor
Given Name (first and middle [Gregory W. [if any])		Family Na or Surnar		Johnson	
Inventor's Signature	#				Date (O	120/03
Residence: City	Milford,	State Ohio		Countr	ry USA	Citizenship USA
Mailing Address	117 Mound Avenue					
City	Milford	State Ohio	;	ZIP	45150	Country USA
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
NAME OF NINTH I		A pe	etition has b	een file	ed for this unsigne	ed inventor
Given Name (first and middle [i	Vance [if any])		Family Na or Surnan		VanDrake, III	
Inventor's Signature					Date	
Residence: City	Cincinnati,	State Ohio		Countr	ry USA	Citizenship USA
Mailing Address	3414 Whitfield					
City	Cincinnati	State Ohio	7	ZIP	45220	Country USA

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Under the Panerwork Reduction Act of 15

PTO/SB/01 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

By Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwo	rk Reduction Act of 1995, no pers	ons are required to	U.S. Pa o respond to a collec	tent and Trademark C	of use tilrough 10/31/2002. OMB 0651-0032 Office; U.S. DEPARTMENT OF COMMERCE less it contains a valid OMB control number.
•	LARATION			cket Number	END-780 NP
DEC	AND		Attorney Doo	CKEL INGILIDE	Chester O. Baxter, III et
	OF ATTORNEY		First Named		al.
	ITY OR DESIGN APPLICATION			COMPLET	TE IF KNOWN
	CFR 1.63)		Application I	Number	10/659,418
Declaration Submitted with Initial Filing	OR Initial Filing (Su	ırcharge	Filing Date		September 10, 2003
	(37 CFR 1.16(e)) required)	Group Art U	nit	Not assigned
			Examiner Na	ame	Not assigned
As a below named invento	r, I hereby declare that	t:	<u> </u>		
My residence, mailing addre I believe I am the original, fir plural names are listed below entitled:	st and sole inventor (if o	nly one nam	e is listed belo	ow) or an origin	
	FINGER TIP ELE	CTROSURG		AL DEVICE	
the specification of which					
[] is attached hereto					
OR					
[X] was filed on (MM/DD/YYYY) 09/10/2003 as United States Application Number or PCT International Application Number 10/659,418 and was amended on (MM/DD/YYYY)					
I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.					
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.					
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.					
Prior Foreign Application	Country		Filing Date D/YYYY)	Priority Not Claime	
Number(s)					YES NO
Additional foreign applied	cation numbers are liste	d on a suppl	emental priori	ty data sheet P	TO/SB/02B attached hereto:

	DECLA	RATION - Utility or Design Patent A	pplication			
I hereby claim the benefit i	ınder 35 U.S.	C. 119(e) of any United States provisional	application(s) listed below			
Application Numb	per(s)	Filing Date (MM/DD/YYYY)	Additional provisional application			
60/412,072 60/425,401		numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.				
I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:						
Application Seria	l No.	Filing Date	Status			
			Pending			
I hereby appoint:						
✓ Practitioners at Customer Number 000027777 → AND			Place Customer Number Bar Code Label Here			
Practitioner(s) named below: Name Registration Number						
as my/our attorney(s) or ag States Patent and Tradema	ent(s) to prose rk Office conr	ecute the application identified above, and nected therewith.	to transact all business in the United			
Address all telephone calls to Ve	erne E. Kreger, J	ir. at telephone number (513) 337-3295.				
Customer Number Direct all correspondence to:						
Name:						
Address:						
Address:						
City:		State:	ZIP			
Country USA		Telephone: (513) 337-3295	Fax:			

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SOLE OR FIRST INVENTOR:	☐ A p	etition has been f	iled for this unsign	ned inventor	
Given Name Chester O. (first and middle [if any])		Family Name or Surname	Baxter, III		
Inventor's Signature			Date 10	08(03	
Residence: City Loveland	State Ohio	Coun	try USA	Citizenship USA	
Mailing Address 6375 Pawnee Ridge				·	
City Loveland	State Ohio	ZIP	45140	Country USA	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF SECOND INVENTOR:	☐ A pe	etition has been fi	led for this unsigne	ed inventor	
Given Name Craig N. (first and middle [if any])		Family Name or Surname	Faller		
Inventor's Signature Crains N. Feel	QQ		Date 10	18/03	
Residence: City Milford	State Ohio	Count	try USA	Citizenship USA	
Mailing Address 5960 E. Day Circle			·	,	
City Milford	State Ohio		15159-2360	Country USA	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.					
NAME OF THIRD INVENTOR:	☐ A pe	tition has been fil	led for this unsigne	ed inventor	
Given Name Kevin L. (first and middle [if any])		Family Name or Surname	Houser		
Inventor's Signature Term of	·s-		Date 10/8	3/03	
Residence: City Springboro	State Ohio	Count	try USA	Citizenship USA	
Mailing Address 570 Foliage Lane					
City Springboro	State Ohio	ZIP	45066	Country 1154	

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NAME OF FOURTH INVENTOR:	NAME OF FOURTH INVENTOR: A petition has been filed for this unsigned inventor					
Given Name Jorge (first and middle [if any])		Family Name or Surname	Gutierrez			
Inventor's guar Dutier	<u>س</u> ح کے ۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔۔		Date 10	· 8· 03		
Residence: City Cincinnati,	State Ohio	Coun	try USA	Citizenship USA		
Mailing Address 9916 McCauley Woods D	rive			T		
City Cincinnati	State Ohio	ZIP	45241	Country USA		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
NAME OF FIFTH INVENTOR:	A pe	etition has been fi	led for this unsign	ed inventor		
Given Name William T. (first and middle [if any])		Family Name or Surname	Donofrio			
Inventor's Signature William TDo	mpr.		Date 10	-10-03		
Residence: City Cincinnati,	State Ohio	Count	try USA	Citizenship USA		
Mailing Address 8755 Tanagerwoods Drive)					
City Cincinnati	State Ohio	ZIP	45249	Country USA		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
NAME OF SIXTH INVENTOR:	☐ A pe	tition has been fil	ed for this unsigne	ed inventor		
Given Name Jerome R. (first and middle [if any])		Family Name or Surname	Morgan			
Inventor's Signature	···		Date 10 / 8	5/03		
Residence: City Cincinnati,	State Ohio	Count	ry USA	Citizenship USA		
Mailing Address 3275 S. Whitetree Circle						
City Cincinnati	State Ohio	ZIP	45236	Country USA		

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
NAME OF SEVEN	ITH INVENTOR:	□Ар	etition has	s been fi	iled for this unsign	ned inventor
Given Name (first and middle	Jeffrey J. [if any])	· · · · · · · · · · · · · · · · · · ·	Family or Surn	Name	Vaitekunas	
Inventor's Signature	Ma/ Stall	the second			Date /0 -	20-03
Residence: City	St. Paul	State MN		Coun	itry USA	Citizenship USA
Mailing Address	1270 Northland Drive					
City	St. Paul	State MN		ZIP	55120	Country USA
L boroby doclar	that all statements made	- barrin of my o			true and t	t - II - t - t - m - m - do on
information and that willful false	d belief are believed to be t statements and the like so to that such willful false sta	true; and further to made are pun	r that the nishable	ese sta by fine	atements were r e or imprisonme	ent, or both, under 18
NAME OF EIGHTH	1 INVENTOR:	A pr	etition has	s been fil	led for this unsigne	ed inventor
Given Name (first and middle [Gregory W. [if any])		Family I		Johnson	
Inventor's Signature					Date	
Residence: City	Milford,	State Ohio		Count	try USA	Citizenship USA
Mailing Address	117 Mound Avenue					
City	Milford	State Ohio	·	ZIP	45150	Country USA
L. L. de alone	· · · · · · · · · · · · · · · · · · ·				4 4	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.						
NAME OF NINTH I	NVENTOR:	☐ A p€	etition has	been fil	led for this unsigne	ed inventor
Given Name (first and middle [Vance [if any])		Family N		VanDrake, III	
Inventor's Signature		,			Date	
Residence: City	Cincinnati,	State Ohio		Count	try USA	Citizenship USA
Mailing Address	3414 Whitfield					
City	Cincinnati	State Ohio		ZIP	45220	Country USA

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		•		- · ·	
DEC	LARATION AND		Attorney Do	cket Number	END-780 NP Chester O. Baxter, III et
	OF ATTORNEY		First Named		al.
	ITY OR DESIGN APPLICATION			COMPLE	TE IF KNOWN
	CFR 1.63)		Application I	Number	10/659,418
Declaration Submitted wit Initial Filing	OR Initial Filing (Su	ırcharge	Filing Date	_	September 10, 2003
-	(37 CFR 1.16(e)) required)	Group Art U	nit	Not assigned
			Examiner Na	ame	Not assigned
As a below named invento	r, I hereby declare tha	t:			
My residence, mailing addre I believe I am the original, fir plural names are listed below entitled:	st and sole inventor (if o	nly one nam	e is listed belo	ow) or an origin	
	FINGER TIP ELE	CTROSURO		AL DEVICE	
		THIC OF THE H	TVC/IIIO/I/		
the specification of which					
[] is attached hereto					
OR					
Number	[X] was filed on (MM/DD/YYYY) 09/10/2003 as United States Application Number or PCT International Application Number 10/659,418 and was amended on (MM/DD/YYYY)				
I hereby state that I have rev	viewed and understand t	the contents	of the above i	dentified specif	ication, including the claims, as
amended by any amendmer			or the above i	dentined speed	iodion, moldang the olding, do
I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.					
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or					
inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent					
or inventor's certificate, or ar priority is claimed.					
Prior Foreign			Filing Date	Priority	Certified Copy
Application Number(s)	Country	(MM/DI	D/YYYY)	Not Claime	d Attached? YES NO
Hamber(a)					
Additional foreign applied	cation numbers are liste	d on a suppl	emental priori	ty data sheet P	TO/SB/02B attached hereto:

DECLARATION - Utility or Design Patent Application							
I hereby claim the benefit under 35 U.S.C	. 119(e) of any United States provisional a	pplication(s) listed below.					
Application Number(s)	Filing Date (MM/DD/YYYY)	Additional provisional application					
60/412,072 60/425,401	September 19, 2002 November 12, 2002	numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.					
I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:							
Application Serial No.	Filing Date	Status					
		Pending					
I hereby appoint:							
Practitioners at Customer Number	Place Customer Number Bar Code Label Here						
AND	AND						
Practitioner(s) named below: Name	Registration Number						
as my/our attorney(s) or agent(s) to prose States Patent and Trademark Office conf	ecute the application identified above, and rected therewith.	to transact all business in the United					
Address all telephone calls to Verne E. Kreger,	Ir. at telephone number (513) 337-3295.						
	mer Number Code Label 000027777 OR	☐ Correspondence address below					
Name:							
Address:							
Address:							
City:	State:	ZIP					
Country USA Telephone: (513) 337-3295 Fax:							

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.								
NAME OF SOLE OR FIRST INVENTOR: A petition has been filed for this unsigned inventor								
Given Name Chester O. (first and middle [if any])		Family Name or Surname	Baxter, III					
Inventor's Signature	Date 10/08/03							
Residence: City Loveland	State Ohio	Coun	try USA	Citizenship USA				
Mailing Address 6375 Pawnee Ridge								
City Loveland	State Ohio	ZIP	45140	Country USA				
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.								
NAME OF SECOND INVENTOR: A petition has been filed for this unsigned inventor								
Given Name Craig N. Family Name Faller (first and middle [if any]) or Surname								
Inventor's Signature Craig N. 7	20 l		Date 10	18/03				
Residence: City Milford	State Ohio	Coun	try USA	Citizenship USA				
Mailing Address 5960 E. Day Circle								
City Milford	State Ohio	ZIP -	45159-2360	Country USA				
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.								
NAME OF THIRD INVENTOR:	☐ A pe	etition has been f	iled for this unsign	ed inventor				
Given Name Kevin L. (first and middle [if any])		Family Name or Surname	Houser					
Inventor's Klim X.	four-	`	Date 10/8	3/03				
Residence: City Springboro	State Ohio	Coun	itry USA	Citizenship USA				
Mailing Address 570 Foliage Lane								
City Springboro	State Ohio	ZIP	45066	Country USA				

I hereby declare that all statements r information and belief are believed to that willful false statements and the I U.S.C. 1001 and that such willful fals issued thereon.	be true; and further that ike so made are punishab	these sta le by fine	tements were in or imprisonment	made with the knowledge ent, or both, under 18			
NAME OF FOURTH INVENTOR:	☐ A petition	has been fil	ed for this unsigne	ed inventor			
Given Name Jorge (first and middle [if any])		ily Name urname	Gutierrez				
Inventor's Signature	rez		Date 10	· 8· 03			
Residence: City Cincinnati,	State Ohio	Count	try USA	Citizenship USA			
Mailing Address 9916 McCauley Woods	Drive	. ,					
City Cincinnati	State Ohio	ZIP	45241	Country USA			
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
NAME OF FIFTH INVENTOR: A petition has been filed for this unsigned inventor							
Given Name William T. (first and middle [if any])	liam T. Family Name or Surname			Donofrio			
Inventor's Signature William TD	Date 10-10-03						
Residence: City Cincinnati,	State Ohio	Count	try USA	Citizenship USA			
Mailing Address 8755 Tanagerwoods Drive							
City Cincinnati	State Ohio	ZIP	45249	Country USA			
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
NAME OF SIXTH INVENTOR:	☐ A petition	has been fi	led for this unsign	ed inventor			
Given Name Jerome R. Family Name Morgan (first and middle [if any]) or Surname							
Inventor's Signature			Date /o /	e lo3			
Residence: City Cincinnati,	Ctota Ohio	Coun	try USA	Citizanahin LICA			
	State Ohio	Coun	ii y oon	Citizenship USA			
Mailing Address 3275 S. Whitetree Circle			ily ook	Ciuzensnip OSA			

information and that willful false	that all statements made he belief are believed to be trustatements and the like so d that such willful false statements.	ue; and further made are pun	that thes ishable t	se stat by fine	tements were r or imprisonme	nade with the knowledge ent, or both, under 18		
NAME OF SEVENTH INVENTOR: A petition has been filed for this unsigned inventor								
Given Name (first and middle [Family Name or Surname		Vaitekunas			
Inventor's Signature		· · · · · · · · · · · · · · · · · · ·			Date			
Residence: City	St. Paul	State MN		Count	ry USA	Citizenship USA		
Mailing Address 1270 Northland Drive								
City	St. Paul	State MN		ZIP	55120	Country USA		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.								
NAME OF EIGHTH INVENTOR: A petition has been filed for this unsigned inventor								
Given Name (first and middle [Gregory W. Family Name				Johnson			
Inventor's Signature					Date			
Residence: City	Milford,	State Ohio		Count	ry USA	Citizenship USA		
Mailing Address 117 Mound Avenue								
City	Milford	State Ohio		ZIP	45150	Country USA		
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.								
NAME OF NINTH	INVENTOR:	A pe	etition has	been fil	ed for this unsigne	ed inventor		
Given Name (first and middle [Vance [if any])		Family N		VanDrake, III			
Inventor's Signature	J-()-()-				Date 10/2	14/03		
Residence: City	Cincinnati,	State Ohio		Count	ry USA	Citizenship USA		
Mailing Address	3414 Whitfield							
City	Cincinnati	State Ohio		ZIP	45220	Country USA		



INTIED STATES PATENT AND TRADEMARK OFFIC

APPLICATION NUMBER FILING OR 371 (c) DATE 10/659,418 PORST NAMED APPLICANT 09/10/2003 Chester O. Baxter III

HELP & JOHNSON JOHNSON & JOHNSON DNE JOHNSON & JOHNSON PLAZA NEW BRUNSWICK, NJ 08933-7003

CONFIRMATION NO. 4620 FORMALITIES LETTER

Date Mailed: 08/09/2004

TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATIO

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

ten's Required To Avoid Abandonment:

All application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The path or declaration is unsigned.

To avoid abandonment, a late filing fee or cath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

additional fee(s) required for this application is \$130 for a Large Entity

10 Little cath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.